

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
DONNA BELL

Plaintiff,

-against-

24 **CIVIL** 3559 (JMF)

JUDGMENT

GREENBRIER INTERNATIONAL, INC. et al.,

Defendants.

-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated November 26, 2024, the Court concludes that Bell fails to “plead sufficient facts to make it plausible that [she] did indeed suffer the sort of injury that would entitle [her] to relief.” Lurenz, 2024 WL 2943834, at *4 (internal quotation marks omitted). Accordingly, her claims must be and are dismissed for lack of subject-matter jurisdiction. Moreover, the Court declines to grant Bell leave to amend her Complaint for a second time. Although leave to amend a complaint should be freely given “when justice so requires,” Fed. R. Civ. P. 15(a)(2), it is “within the sound discretion of the district court to grant or deny leave to amend,” Ahmed v. GEO USA LLC, No. 14-CV-7486 (JMF), 2015 WL 1408895, at *5 (S.D.N.Y. Mar. 27, 2015) (internal quotation marks omitted). Here, Bell requests leave to amend in the event that the Court finds her pleadings insufficient, see Pl.’s Opp’n 20, but her request is pro forma and does not suggest that she is in possession of facts that would cure the problems with her lawsuit. See *e.g.*, *Clark v. Kitt*, No. 12-CV-8061 (CS), 2014 WL 4054284, at *15 (S.D.N.Y. Aug. 15, 2014). Additionally, the Court already granted Bell leave to amend her original complaint in response to the Defendants’ earlier motions to dismiss and explicitly

warned that she would “not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.” Accordingly, the case is closed.

Dated: New York, New York

November 26, 2024

DANIEL ORTIZ

Acting Clerk of Court

BY:



Deputy Clerk